

## ARTICLE 55.5-02

### OCCUPATIONAL THERAPY PRACTICE LICENSURE

#### Chapter

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#### CHAPTER 55.5-02-01

#### INITIAL LICENSURE AND RENEWALS

#### Section

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**55.5-02-01-01. Licensure application.** An application for a license to practice occupational therapy must be made to the state board of occupational therapy on forms approved by the board available upon request. The application must contain such information as the board may reasonably require.

1. Each application for a license must be accompanied by:
  - a. A prescribed fee.
  - b. Official verification of a passing score on an examination by a national occupational therapy certifying agency approved by the board and taken within eighteen months of the application.
2. All applications must be signed by the applicant and notarized.
3. Should any information included in the application change during the application process, the applicant must advise the board of those changes.
4. The board may request additional information or clarification of information provided on the application as it deems necessary, including verification of licensure in good standing from other jurisdictions.
5. The board may direct an applicant to appear before the board concerning the application.

6. The board may require a completed self-assessment of the applicant's or licensee's knowledge of the North Dakota laws, rules, and regulations of occupational therapy.

**History:** Effective April 1, 1988; amended effective November 1, 2000; February 1, 2004.

**General Authority:** NDCC 43-40-05

**Law Implemented:** NDCC 43-40-08

**55.5-02-01-02. Licensure renewal.** Licenses are renewable biennially in even-numbered years.

**1. Licensure renewal for occupational therapist.**

- a. Applications for renewal of occupational therapy licenses will be mailed by the board on or before April first of the renewal year to all licenseholders. Renewal applications, continued competency documentation, and fees must be postmarked by the United States postal service or delivered to the board's office on or before June first of the renewal year.
- b. Occupational therapists are considered delinquent and a late charge shall be assessed if the renewal application, renewal license fee, and continued competency documentation are not postmarked by the United States postal service or delivered to the board's office on or before June first of the renewal year.
- c. Occupational therapy licenses will expire if the renewal application, continued competency documentation, and fees are not postmarked by the United States postal service or delivered to the board's office by June thirtieth of the renewal year. To reinstate an expired license, an applicant must submit:
  - (1) A renewal application form;
  - (2) The renewal license fee;
  - (3) Continued competency documentation; and
  - (4) Late charges as assessed by the board.

No late renewal of an occupational therapy license may be granted more than three years after expiration, at which time the initial application process is required.

- d. The renewal of an occupational therapy license will be mailed to the applicant by July first of the renewal year if the renewal request is complete and postmarked on or before June first of the renewal year.

- e. The board may require a completed self-assessment of the licensee's knowledge of the North Dakota laws, rules, and regulations of occupational therapy.

**2. Licensure renewal for occupational therapy assistant.**

- a. Application for renewal of an occupational therapy assistant license will be mailed by the board on or before April first of the renewal year to all licenseholders. Renewal applications, continued competency documentation, and fees must be postmarked by the United States postal service or delivered to the board's office on or before June first of the renewal year.
  - (1) An occupational therapy assistant supervised during the renewal period shall submit a renewal application, substantiation of supervision, a renewal license fee, and continued competency documentation.
  - (2) An occupational therapy assistant not practicing occupational therapy during the renewal period shall submit the renewal application, renewal license fee, and continued competency documentation. Upon resumption of occupational therapy practice, the occupational therapy assistant shall submit substantiation of supervision.
- b. Delinquency and late charges.
  - (1) Occupational therapy assistants who are supervised at the time of renewal are considered delinquent and a late charge will be assessed if the renewal application, renewal licensure fee, continued competency documentation, and substantiation of supervision are not submitted and postmarked by the United States postal service or delivered to the board's office on or before June first of the renewal year.
  - (2) Occupational therapy assistants who are not practicing occupational therapy at the time of renewal are considered delinquent and a late charge shall be assessed if the renewal application, renewal license fee, and continued competency are not submitted and postmarked by the United States postal service or delivered to the board's office on or before June first of the renewal year.
- c. Licenses will expire if the renewal form, renewal license fee, continued competency documentation, and substantiation of supervision form are not postmarked by the United States postal service or delivered to the board's office by June thirtieth of the

renewal year. To reinstate an expired license, an applicant must submit:

- (1) A renewal application;
- (2) The renewal license fee;
- (3) Substantiation of supervision (if supervised);
- (4) Continued competency documentation; and
- (5) Late charges as assessed by the board.

No late renewal of a license may be granted more than three years after expiration, at which time the initial application process is required.

- d. The renewal of license will be mailed to the applicant by July first of the renewal year if the renewal request is completed and postmarked on or before June first of the renewal year.
- e. The board may require a completed self-assessment of the licensee's knowledge of the North Dakota laws, rules, and regulations of occupational therapy.

**History:** Effective April 1, 1988; amended effective November 1, 2000; February 1, 2004.

**General Authority:** NDCC 43-40-05

**Law Implemented:** NDCC 43-40-15

**55.5-02-01-03. Fees.** The board has adopted the following fee payment schedule:

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|---|----------|
| 1. Initial application fees for occupational therapist license and occupational therapy assistant license                         | \$50.00  |
| 2. Initial occupational therapist license fee:  |          |
| a. Application for license received after June thirtieth of the even-numbered year and before July first of the odd-numbered year | \$150.00 |
| b. Application for license received after June thirtieth and on or before December thirty-first of the odd-numbered year          | \$75.00  |
| c. Application for license received on or after January first of an even-numbered year  | \$150.00 |
| 3. Initial occupational therapy assistant license fee:  |          |

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|----|--|----------|
| a. | Application for license received after June thirtieth of the even-numbered year and before July first of the odd-numbered year | \$110.00 |
| b. | Application for license received after June thirtieth and on or before December thirty-first of the odd-numbered year          | \$55.00  |
| c. | Application for license received on or after January first of an even-numbered year  | \$110.00 |
4. Occupational therapists and occupational therapy assistants whose applications for licensure are received on or after January first and on or before June thirtieth of the even-numbered year are exempt from the renewal of license for the next licensing period.
  5. Renewal fee:
 

a.	Occupational therapist	\$150.00
b.	Occupational therapy assistant	\$110.00
  6. Student limited permit fee:
 

a.	Occupational therapist	\$40.00
b.	Occupational therapy assistant	\$30.00

Student limited permit fees will be applied to the initial license fee.
  7. Late fee \$100.00
  8. Copy of license \$10.00
  9. Change of license \$10.00
  10. Verification of license \$20.00

**History:** Effective April 1, 1988; amended effective November 1, 2000; February 1, 2004.

**General Authority:** NDCC 43-40-05, 43-40-07

**Law Implemented:** NDCC 43-40-05, 43-40-07

**55.5-02-01-04. Continued competency.** Continued competency is the ongoing application and integration of knowledge, critical thinking, interpersonal, and psychomotor skills essential to safely and effectively deliver occupational therapy services within the context of a practitioner's role and environment.

1. The board requires a minimum of twenty contact hours within the twenty-four months prior to the completed application for renewal of licensure.
  - a. One contact hour is equal to one clock-hour.
  - b. Ten contact hours are equal to one continuing education unit.

2. Any practitioner initially licensed between July first and December thirty-first of the odd-numbered year is required to complete ten contact hours for that licensing period with twenty contact hours for each subsequent licensing period.
3. Any practitioner initially licensed on or after January first of the even-numbered year has no contact hour requirement until the following licensing period when the licensee is required to complete twenty contact hours for that licensing period and each subsequent licensing period.
4. When a practitioner has not been licensed for up to three years, the practitioner must submit evidence of a minimum of twenty contact hours of continued competency earned within the twenty-four months prior to the completed application for renewal of license.
5. Board-approved continued competency must:
  - a. Be directly related to or supportive of occupational therapy practice;
  - b. Enhance the occupational therapist's or occupational therapy assistant's professional development and competence; and
  - c. Be specific to the applicant's or licensee's current area of practice or an intended area of practice within the next year.
6. Continued competency includes:
  - a. Workshops, refresher courses, professional conferences, seminars, or education programs presented by organizations such as AOTA, NBCOT, NDOTA, medical associations, or educational and national or state health organizations. There is no limit on hours that may be earned under this subdivision.
  - b. Presentations by licensee:
    - (1) Professional presentations, e.g., inservices, workshops, or institutes. Any such presentation may be counted only one time. There is no limit on hours that may be earned under this paragraph.
    - (2) Community or service organization presentations. Any such presentation may be counted only one time. No more than eight hours may be earned under this paragraph.
  - c. Formal academic coursework.
    - (1) One or two credit hour class is equal to five contact hours.

- (2) Three or four credit hour class is equal to ten contact hours.
  - d. Authoring professional publications. There is no limit on hours that may be earned under this subdivision. Publications include:
    - (1) Book;
    - (2) Chapter in a book;
    - (3) Thesis or dissertation;
    - (4) Article; or
    - (5) Multimedia.
  - e. Formal self-study course with a completion certificate. There is no limit on hours that may be earned under this subdivision.
  - f. Research approved by the board.
  - g. Supervised clinical practice preapproved by the board.
  - h. Professional leadership. This category encompasses leadership responsibilities or committee involvement in professional organizations, including officer or committee chairperson in an occupational therapy or related practice area of a professional organization or item writing for a professional certification examination. No more than six hours may be earned under this subdivision.
  - i. Facility-based continued competency education program. No more than six hours may be earned under this subdivision.
  - j. Distance learning activities.
- 7. Licensees and continuing education providers may submit continuing education courses to the board for preapproval.
  - 8. A copy of a continuing education unit certificate must be submitted for board approval. The continuing education unit certificate must contain the person's name, dates of attendance, title of the course, and contact hours. If the program was not formally granted contact hours or continuing education units, the licensee must submit written verification of attendance signed by a supervisor or program coordinator which includes the name of the participant, dates of attendance, title of the course, and hours of the course, not including breaks and lunch.
  - 9. Failure to meet the continuing competency requirements as outlined in this section will result in denial of an application for renewal and

may subject a licensee to disciplinary action as outlined in North Dakota Century Code section 43-40-16. The board may waive or allow exceptions due to extraordinary circumstances.

10. Continued competency hours may only be used once to satisfy the requirements of this section.

**History:** Effective April 1, 1988; amended effective November 1, 2000; February 1, 2004.

**General Authority:** NDCC 43-40-05

**Law Implemented:** NDCC 43-40-15

**55.5-02-01-05. Passing score.** The successful passing of a national examination means obtaining a score equal to or greater than the passing score established by a national occupational therapy certifying agency approved by the board which is in effect at the time of the administration of the test.

**History:** Effective April 1, 1988; amended effective November 1, 2000.

**General Authority:** NDCC 43-40-05

**Law Implemented:** NDCC 43-40-11

**55.5-02-01-06. Duration of limited permit.** As used in subsections 2 and 3 of North Dakota Century Code section 43-40-13, "next available examination" and "next examination" mean examination within four months of completion of the education and experience requirements.

**History:** Effective February 1, 2004.

**General Authority:** NDCC 43-40-05

**Law Implemented:** NDCC 43-40-13